



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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Memorandum

TO: Administration Committee

DATE: October 5, 2011

FR: Executive Director

W. I. 1236

RE: Contract Amendment - On-call Public-Private Partnership Legal Services: Nossaman LLP

Staff requests this Committee to authorize the Executive Director or his designee to negotiate and enter into a contract amendment with Nossaman LLP ("Nossaman") for services related to MTC's application to the California Transportation Commission ("CTC") for authority to develop and operate a Regional Express Lane Network pursuant to Streets & Highways ("S&H") Code Section 149.7

Background:

On December 9, 2009, this Committee approved the selection of Nossaman and three consulting firms to provide MTC and BATA with on-call public-private partnership (P3) consulting and legal services through July 2012. MTC engaged the firms to develop a delivery strategy for a Regional Express Lane Network using a combination of the financing and project delivery methods authorized under current law. The firms have assisted MTC in the preparation and submission of an application to the CTC seeking authority under S&H Code § 149.7 to develop and operate a Regional Express Lane Network. The Commission authorized submission of the application to the CTC in September, and the CTC is expected to consider the application at its October meeting. MTC's current contract with Nossaman in the amount of \$359,000 is almost fully expended. Staff requests an additional \$50,000 in order to provide for Nossaman to assist in the resolution of any legal issues that arise in connection with CTC's review of the application.

Recommendation

Staff recommends this Committee authorize the Executive Director or his designee to enter into a contract amendment as described above in an amount not to exceed \$50,000.

Steve Heminger

SH:MJM

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REQUEST FOR COMMITTEE APPROVAL
Summary of Legal Services Contract Amendment

Work Item No.:	1236
Law Firm:	Nossaman LLP, Los Angeles, CA
Work Project Title:	Public-Private Partnership (P3) Legal Services
Purpose of Project:	To provide legal services to MTC for services related to the evaluation of opportunities for P3s to assist in the development and implementation of transportation projects throughout the region
Brief Scope of Work:	Continued legal assistance in connection with MTC's application to the California Transportation Commission ("CTC") for authority to develop and operate a Regional Express Lane Network pursuant to Streets & Highways ("S&H") Code Section 149.7
Project Cost Not to Exceed:	\$50,000 (current contract = \$359,000)
Funding Source:	Bridge Tolls (AB 1171)
Fiscal Impact:	In MTC's FY 2010-11 budget
Motion by Committee:	That the Executive Director or his designee is authorized to negotiate and enter into a contract amendment with Nossaman LLP, to provide the legal services as described above, and the Chief Financial Officer is directed to set aside funds in the amount specified for such amendment.
Admin Committee Chair:	<hr/> Dave Cortese, Chair
Approved:	Date: October 12, 2011